

115TH CONGRESS
1ST SESSION

S. 2211

To establish a national endangered missing advisory communications network,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 7, 2017

Mr. MANCHIN (for himself, Mr. CASEY, Mr. CORNYN, Mr. BLUMENTHAL, Mr. TILLIS, and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To establish a national endangered missing advisory
communications network, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as “Skylar’s Law”.

5 **SEC. 2. DEFINITIONS.**

6 In this Act:

7 (1) COORDINATOR.—The term “Coordinator”
8 means the EMA Network Coordinator designated
9 under section 4(a).

1 (2) EMA NETWORK.—The term “EMA Net-
2 work” means the national endangered missing advi-
3 sory communications network established under sub-
4 section (a).

5 (3) MISSING INDIVIDUAL.—The term “missing
6 individual” refers to any individual who—

7 (A) is reported to, or identified by, a law
8 enforcement agency as a missing person; and

9 (B) may be in danger of death or serious
10 bodily injury.

11 (4) STATE.—The term “State” means each of
12 the 50 States, the District of Columbia, each Indian
13 tribe (as defined in section 4(e) of the Indian Self-
14 Determination and Education Assistance Act (25
15 U.S.C. 5304(e))), the Commonwealth of Puerto
16 Rico, the United States Virgin Islands, Guam,
17 American Samoa, and the Commonwealth of the
18 Northern Mariana Islands.

19 **SEC. 3. NATIONAL ENDANGERED MISSING ADVISORY COM-**
20 **MUNICATIONS NETWORK.**

21 (a) IN GENERAL.—The Attorney General shall, sub-
22 jeet to the availability of appropriations, establish a na-
23 tional endangered missing advisory communications net-
24 work within the Department of Justice to provide assist-
25 ance to regional and local search efforts for missing indi-

1 individuals through the initiation, facilitation, and promotion
2 of local elements of the network (known as “EMA plans”)
3 in coordination with States, units of local government, law
4 enforcement agencies, and other concerned entities with
5 expertise in providing services to families of missing indi-
6 viduals.

7 (b) COORDINATION WITH AMBER ALERT NET-
8 WORK.—In establishing the EMA Network under sub-
9 section (a), the Attorney General shall ensure that, when
10 feasible, the EMA Network is able to operate in coordina-
11 tion with the AMBER Alert communications network, es-
12 tablished under subtitle A of title III of the PROTECT
13 Act (34 U.S.C. 20501 et seq.), to maximize the efficiency
14 of both networks.

15 **SEC. 4. EMA NETWORK COORDINATOR.**

16 (a) NATIONAL COORDINATOR WITHIN DEPARTMENT
17 OF JUSTICE.—The Attorney General shall designate an
18 individual of the Department of Justice to act as the na-
19 tional coordinator of the EMA Network. The individual
20 so designated shall be known as the EMA Network Coordi-
21 nator of the Department of Justice.

22 (b) DUTIES OF THE COORDINATOR.—In acting as the
23 national coordinator of the EMA Network, the Coordi-
24 nator shall—

(1) work with States to encourage the development of additional EMA plans in the network;

(A) a list of the resources necessary to establish an EMA plan;

9 (B) criteria for evaluating whether a situa-
10 tion warrants issuing an endangered missing
11 advisory, taking into consideration both the
12 need for immediate community notification and
13 the need for the use of such advisories to be
14 limited in scope because the effectiveness of the
15 EMA Network may be affected by overuse, in-
16 cluding criteria to determine—

(C) a description of the appropriate uses of the EMA Network name to readily identify the nature of search efforts for missing individuals; and

(D) recommendations on how to protect the privacy, dignity, independence, and autonomy of any missing individual who may be the subject of an endangered missing advisory;

20 (B) members who are—

(c) COORDINATION.—

(1) COORDINATION WITH OTHER AGENCIES.—

13 The Coordinator shall coordinate and consult with
14 the Secretary of Transportation, the Federal Com-
15 munications Commission, and other appropriate of-
16 fices of the Department of Justice in carrying out
17 activities under this Act.

(d) ANNUAL REPORTS.—

1 (1) IN GENERAL.—Not later than 2 years after
2 the date of enactment of this Act, and annually
3 thereafter, the Coordinator shall submit to Congress
4 a report on the activities of the Coordinator and the
5 effectiveness and status of the EMA plans of each
6 State that has established or is in the process of es-
7 tablishing EMA plans.

8 (2) CONTENTS.—Each report submitted under
9 paragraph (2) shall include—

10 (A) a list of States that have established
11 EMA plans;

12 (B) a list of States that are in the process
13 of establishing EMA plans;

14 (C) for each State that has established
15 EMA plans, to the extent the data is avail-
16 able—

17 (i) the number of endangered missing
18 advisories issued;

19 (ii) the number of individuals located
20 successfully;

21 (iii) the average period of time be-
22 tween the issuance of an endangered miss-
23 ing advisory and the location of the indi-
24 vidual for whom such advisory was issued;

1 SEC. 5. MINIMUM STANDARDS FOR ISSUANCE AND DIS-

2 SEMINATION OF ALERTS THROUGH EMA NET-

3 WORK.

4 (a) ESTABLISHMENT OF MINIMUM STANDARDS.—
5 Subject to subsection (b), the Coordinator shall establish
6 minimum standards for—

7 (1) the issuance of alerts through the EMA
8 Network; and

11 (b) LIMITATIONS.—

1 (3) GEOGRAPHIC AREAS.—The minimum stand-
2 ards shall, to the maximum extent practicable (as
3 determined by the Coordinator in consultation with
4 State and local law enforcement agencies), provide
5 that the dissemination of an alert through the EMA
6 Network be limited to the geographic areas which
7 the missing individual could reasonably reach, con-
8 sidering the missing individual's circumstances and
9 physical and mental condition, the modes of trans-
10 portation available to the missing individual, and the
11 circumstances of the disappearance.

12 (4) AGE REQUIREMENTS.—The minimum
13 standards shall not include any specific age require-
14 ment for an individual to be classified as a missing
15 individual for purposes of the EMA Network.

16 (5) PRIVACY AND CIVIL LIBERTIES PROTEC-
17 TIONS.—The minimum standards shall—

18 (A) ensure that alerts issued through the
19 EMA Network comply with all applicable Fed-
20 eral, State, and local privacy laws and regula-
21 tions; and

22 (B) include standards that specifically pro-
23 vide for the protection of the civil liberties and
24 sensitive medical information of missing individ-
25 uals.

1 (6) STATE AND LOCAL VOLUNTARY COORDINA-
2 TION.—In carrying out the activities under sub-
3 section (a), the Coordinator may not interfere with
4 the current system of voluntary coordination be-
5 tween local broadcasters and State and local law en-
6 forcement agencies for purposes of the EMA Net-
7 work.

8 **SEC. 6. TRAINING AND OTHER RESOURCES.**

9 The Coordinator shall make available to States, units
10 of local government, law enforcement agencies, and other
11 concerned entities that are involved in initiating, facili-
12 tating, or promoting EMA plans, including broadcasters,
13 first responders, dispatchers, public safety communica-
14 tions personnel, and radio station personnel—

15 (1) training and educational programs related
16 to the EMA Network and the capabilities, limita-
17 tions, and anticipated behaviors of missing individ-
18 uals, which shall be updated regularly to encourage
19 the use of new tools, technologies, and resources in
20 EMA plans; and

21 (2) informational materials, including bro-
22 chures, videos, posters, and web sites to support and
23 supplement such training and educational programs.

1 **SEC. 7. USE OF AMOUNTS PREVIOUSLY APPROPRIATED.**

2 This Act shall be carried out using amounts appro-
3 priated to the Department of Justice to carry out the
4 Missing and Exploited Children Program, including
5 amounts appropriated to carry out the Missing Children's
6 Assistance Act (34 U.S.C. 11291 et seq.), the PROTECT
7 Act (Public Law 108–21; 117 Stat. 650), and the Victims
8 of Child Abuse Act of 1990 (34 U.S.C. 20301 et seq.).
9 No additional amounts are authorized to be appropriated
10 to carry out this Act.

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